

**TITLE 3: HEALTH AND SANITATION AND ANIMAL REGULATIONS**  
**DIVISION 5: MONITORING, CONTROL AND ELIMINATION OF POLLUTANTS INTO THE STORM DRAINAGE SYSTEM. Repealed by Ordinance #3105 (1986); Readopted by Ordinance 3587 (1994);**  
**Chapter 1: Pollutant Discharge Elimination System Regulations.**

**Sections:**

35.0101	Authority
35.0102	Purpose
35.0103	Definitions
35.0104	Severability
35.0105	Conflict
35.0106	County's Right to Revision
35.0107	Administration
35.0108	Notice
35.0109	Connections
35.0110	Protection of the Storm Drain System
35.0111	Prohibited Discharges
35.0112	Exceptions to the Prohibited Discharges
35.0113	Notification of Intent and Compliance with General Permits
35.0114	Spill Containment
35.0115	Prevention of Accidental Discharges
35.0116	Notification of Accidental Discharge
35.0117	Authority to Inspect
35.0118	Commercial Requirements
35.0119	Specific Prohibitions
35.0120	Non-Storm Water Discharges
35.0121	Permits Required
35.0122	Notice of Violation
35.0123	Violations Deemed a Public Nuisance
35.0124	Falsifying Information
35.0125	Administrative Hearing
35.0126	Administrative Orders
35.0127	Legal Action
35.0128	Civil Penalties
35.0129	Criminal Penalties
35.0130	Compensation for Damages
35.0131	Appeals
35.0132	Notice to Remediate

**35.0101 Authority**

This chapter is enacted pursuant to authority conferred to the County under its police powers and by the Federal Clean Water Act (33 USC 1251 et seq.)

**Repealed by Ordinance #3105 (1986); Readopted by Ordinance 3587 (1994);**

**35.0102 Purpose**

The purpose of this chapter is to promote the health, safety and general welfare of inhabitants of the County by controlling discharges into the Storm Drain System.

This will be accomplished by eliminating all non-permitted discharges to the Storm Drain System, controlling the discharge to the Storm Drain System from spills, dumping or disposal of materials other than storm water, and reducing illegal discharges to the maximum extent practicable.

The intent of this chapter is to protect and enhance the water quality of watercourses, and water bodies, ground water and wetlands in a manner pursuant to and consistent with federal, state and local laws and regulations.

**Repealed by Ordinance #3105 (1986); Readopted by Ordinance 3587 (1994);**

**35.0103 Definitions**

(a) "Authorized Representative" shall mean the Director of Transportation/Flood Control Department.

(b) "BMP" shall mean any Best Management Practice, Best Management Guideline, or Best Management requirement as adopted by any Federal, State, regional, or local agency and applicable to Storm Drain System.

(c) "Construction Activity" shall mean any activity as defined by the State Water Resources Board or the Regional Water Quality Control Board, Santa Ana Region, whichever is more restrictive, that necessitates securing an NPDES Permit or NOI.

(d) "County Permit" shall mean any permit issued by the County of San Bernardino.

(e) "General Permit" shall mean any permit issued pursuant to federal regulations, 40 Code of Federal Regulations Parts 122, 123, and 124 relating to discharges of storm water associated with construction activities on five (5) acres and over of total area.

(f) "Illegal Discharge" shall mean any discharge to the Storm Drain System that is not composed entirely of storm water or which contains elements not provided for under Exceptions to the Prohibited Discharges Section 35.0112.

(g) "Illicit Connection" shall mean any connection to the Storm Drain System that is directly or indirectly associated with an illegal discharge except for a connection permitted pursuant to a valid NPDES Permit authorized by written approval of the County.

(h) "NOI" shall mean a Notice of Intent to comply with NPDES general storm water permit.

(i) "NPDES" shall mean the National Pollutant Discharge Elimination System.

(j) "NPDES Permit" shall mean any permit issued pursuant to the NPDES program under the Federal Clean Water Act.

(k) "Non-Storm Water" shall mean any water not associated with storm runoff and that originates on or traverses any property.

(l) "Receiving Water" shall mean all waters of the United States and tributaries of waters of the United States that are used for recreational or other purposes; from which fish or shell fish are taken; or which are used for industrial purposes of industries in interstate commerce.

(m) "Storm Drain System" shall mean all of the property interests owned or leased by the County and used directly or indirectly in the collection, conveyance, storage or disposal of storm water and including but not limited to conduits, natural or artificial drains, channels, basins and watercourses, together with appurtenances, pumping stations and equipment.

(n) "Storm Water Pollution Prevention Plan" shall mean the plan as described in the General Construction Activity Storm Water Permit as issued by the State Water Resources Control Board on August 20, 1992 and as may be amended.

(o) "Swimming Pool" is any body of water created by artificial means designed or used for swimming, immersion or therapeutic purposes.

(p) "User(s)" shall mean any person or entity who discharges into the Storm Drain System.

**Repealed by Ordinance #3105 (1986); Readopted by Ordinance 3587 (1994);**

#### **35.0104 Severability**

If any provision, paragraph, word, or section of this Division 5 is invalidated by any court of competent jurisdiction, the remaining provision, paragraphs, words, or sections shall not be affected and shall continue in full force and effect.

**Repealed by Ordinance #3105 (1986); Readopted by Ordinance 3587 (1994);**

#### **35.0105 Conflict**

All other provisions of the San Bernardino County Code inconsistent or conflicting with any part of this chapter are hereby superseded for the purposes of this chapter to the extent of such inconsistency or conflict.

**Repealed by Ordinance #3105 (1986); Readopted by Ordinance 3587 (1994);**

#### **35.0106 County's Right of Revision.**

The San Bernardino County Board of Supervisors may establish by ordinance more stringent limitations and requirements related to discharges into the Storm Drain System if deemed necessary.

**Repealed by Ordinance #3105 (1986); Readopted by Ordinance 3587 (1994);**

#### **35.0107 Administration**

Except as otherwise provided herein, the authorized representative for the County of San Bernardino shall administer, implement and enforce the provisions of this chapter. Any powers granted or duties imposed upon the authorized representative may be delegated in writing by the authorized representative to persons acting in the beneficial interest of or in the employ of the County of San Bernardino.

**Repealed by Ordinance #3105 (1986); Readopted by Ordinance 3587 (1994);**

#### **35.0108 Notice**

Unless otherwise provided herein, any notice required to be given by or to the authorized representative under this chapter shall be in writing and served in person or by first class or registered or certified mail. Notice shall be deemed to have been given at the time of deposit, postage prepaid, in a facility regularly serviced by the United States Postal Service.

**Repealed by Ordinance #3105 (1986); Readopted by Ordinance 3587 (1994);**

#### **35.0109 Connections**

The discharge or diversion of non-storm water is permissible only when connection to the Storm Drain System is made in accordance with a valid County Permit, approved construction plan, or an NPDES permit and/or an NOI, and the discharge conforms to the standards of section 35.0112.

It is prohibited to establish, use, maintain and/or continue any illicit connections. This prohibition applies to connections made in the past, regardless of whether made under a permit or other authorization or whether permissible under the law or practices applicable or prevailing at the time of the connection.

Permits are required for the construction or modification of any storm drain or conveyor of drainage waters or appurtenant items within:

- (a) Dedicated public easements, right-of-way, or public place and/or facility;
- (b) Private property so as it may directly or indirectly discharge into the Storm Drain System. Indirect discharges include, but are not necessarily limited to, under sidewalk drains, driveway approaches, and unrestricted sheet flow.

**Repealed by Ordinance #3105 (1986); Readopted by Ordinance 3587 (1994);**

#### **35.0110 Protection of the Storm Drain System**

Without prior written approval of the authorized representative, no person shall construct or modify or cause to be constructed or modified any structure, facility, or appurtenant items which may alter the normal functioning of the storm drain system, including actions which may alter the capacity, fall, or structural integrity of the storm drain, channel, or related structures.

**Repealed by Ordinance #3105 (1986); Readopted by Ordinance 3587 (1994);**

#### **35.0111 Prohibited Discharges**

It is prohibited to:

- (a) Discharge directly or indirectly into the storm drain system any storm water or other solid, liquid or gaseous matter in violation of any law, rule, regulation, permit, order or other requirement of any federal, state, county, municipal or other governmental entity or agency.
- (b) Discharge non-storm water directly or indirectly to the storm drain system or any street or lined or unlined drainage ditch which leads to a public storm drain, unless such discharge is permitted by an NPDES Permit or a County Permit. If such discharge is permitted by a NPDES Permit, but caused the County to violate any portions of its NPDES Permit for storm water discharges, such discharge is also prohibited.
- (c) Throw, deposit, leave, maintain, keep, or permit to be thrown, deposited, placed, left or maintained, any refuse, rubbish, garbage, or other discarded or abandoned objects, articles, and accumulations, in or upon any street, alley, sidewalk, storm drain, inlet, catch basin, conduit or other drainage structures, business, place, or upon any public or private lot of land in the unincorporated area of the County, so that the same might be or become an illegal discharge.
- (d) Throw or deposit litter in any fountain, pond, lake, stream or any other body of water in a park or elsewhere within the unincorporated area of the County.

**Repealed by Ordinance #3105 (1986); Readopted by Ordinance 3587 (1994);**

#### **35.0112 Exceptions to the Prohibited Discharges**

The following discharge are exempt from the Prohibited Discharges listed in section 35.0111:

- (a) Waterline flushing and other discharges from potable water sources, provided that the chlorine residual in any heavily chlorinated water used to disinfect water storage facilities or water mains is thoroughly dechlorinated prior to contacting receiving waters.
- (b) Landscape irrigation, lawn watering, and irrigation water;
- (c) Diverted stream flows, rising ground water, infiltration of separate storm drains, springs, flows from riparian habitats and wetlands;
- (d) Uncontaminated pumped ground water, foundation and footing drains, water from crawl space pumps, air conditioning condensation;
- (e) Individual residential car washing, dechlorinated swimming pool discharges; and
- (f) Flows from fire fighting.

**Repealed by Ordinance #3105 (1986); Readopted by Ordinance 3587 (1994);**

**35.0113 Notification of Intent and Compliance with General Permits.**

Any user required to obtain a general permit shall file an NOI and obtain such general permit and comply with all conditions set forth therein.

**Repealed by Ordinance #3105 (1986); Readopted by Ordinance 3587 (1994);**

**35.0114 Spill Containment**

Spill containment systems, as may be required, shall conform to requirements established by the authorized representative. No person shall operate a spill containment system that allows incompatible liquid to mix, thereby creating hazardous or toxic substances in the event of failure of one or more containers.

Spill containment systems shall consist of a system of dikes, walls, barriers, berms, or other devices designed to contain spillage of the liquid contents of containers. Spill containment systems shall be constructed of impermeable and non-reactive materials to the liquids being contained.

Spilled or leaked waste and accumulated precipitation shall be removed from the spill containment system in a timely manner as is necessary to prevent overflow of the collection system. Unless otherwise approved in writing by the authorized representative, all chemicals or wastes discharged within the collection area shall be disposed of in accordance with all applicable federal, state and local laws and regulations and not discharged to the public sewer, the storm drain system, or the ground.

**Repealed by Ordinance #3105 (1986); Readopted by Ordinance 3587 (1994);**

**35.0115 Prevention of Accidental Discharges**

Protection of the Storm Drain System from accidental discharge of prohibited material is the responsibility of the person or persons in charge of such material. Detailed plans showing facilities and operating procedures to provide this protection shall be submitted to the County for review, and shall be approved by the authorized representative prior to any construction. All users shall complete such a plan. Review and approval of such plans and operating procedures shall not relieve the user from the responsibility to modify the user's facility as necessary to meet the requirements of this chapter.

**Repealed by Ordinance #3105 (1986); Readopted by Ordinance 3587 (1994);**

**33.0116 Notification of Accidental Discharge**

A notice shall be permanently posted in a conspicuous place where notices to employees are customarily posted, advising employees whom to contact in the event of an accidental discharge. Employers shall ensure that all employees are advised of the emergency notification procedures.

In the event of an accidental discharge, it is the responsibility of the user to immediately telephone and notify the County and applicable federal and state offices.

Within five (5) working days following an accidental discharge to the storm drain system, the person or persons in charge of the material accidentally discharged shall submit a written report to the authorized representative. The report shall describe in detail the type, volume and cause of the discharge, corrective actions taken, and measures to be taken to prevent future occurrences.

Such notification shall not relieve the user of any fines or civil penalties incurred as a result of such event, or any other liability which may be imposed by this chapter or other applicable laws.

**Repealed by Ordinance #3105 (1986); Readopted by Ordinance 3587 (1994);**

**33.0117 Authority to Inspect**

The authorized representative shall be authorized, with consent of the owner/occupant or with a warrant obtained pursuant to Code of Civil Procedure section 1822.50 et seq., to enter and inspect the premises of any user of the storm drain system to determine compliance with the provisions of this chapter.

If such entry is refused or cannot be obtained, the authorized representative shall have recourse to every remedy provided by law to secure lawful entry and inspection of the premises, including a search warrant obtained pursuant to Code of Civil Procedure section 1822.50 et seq.

Such inspections may include:

(a) Conduct inspection, sampling, monitoring, and/or other authorized duties to enforce the provisions of this chapter.

(b) Review any records, reports, test results or other information required to enforce the provisions of this chapter. Such review may include the necessity to photograph, videotape, or copy any applicable information; and,

(c) Inspect any wastes, chemicals, storage areas, storage containers, waste generating processes, treatment facilities, and discharge locations. Such inspection may include the necessity to photograph or videotape any applicable wastes, chemicals, storage areas, storage containers, waste generating processes, treatment facilities, and discharge locations.

Adequate identification shall be provided by the authorized representative or designated representative, when entering the premises of any user.

If the authorized representative has reasonable cause to believe that non-storm water discharge conditions on or emanating from the premises are so hazardous, unsafe, or dangerous as to require immediate inspection to safeguard the public health or safety, the authorized representative shall have the right to immediately enter and inspect the property, and may use any reasonable means required to effect such entry and make such inspection, whether the property is occupied or unoccupied and whether or not formal permission to inspect has been obtained.

Where a user has instituted security measures requiring proper identification and clearance before entry onto the premises, the user shall make all necessary arrangements with its security guards in order that, upon presentation of such identification, duly designated County personnel shall be permitted to enter the premises without delay for the purpose of performing their authorized duties. For facilities which require special clearances to conduct inspections, it shall be the responsibility of the user to obtain all necessary clearances on behalf of the County so that County inspections are not impaired.

**Repealed by Ordinance #3105 (1986); Readopted by Ordinance 3587 (1994);**

### **33.0118 Commercial Requirements**

Persons owning or operating a parking lot, gas station or similar business shall maintain the business premise in a manner that does not result in illegal discharges to the storm drain system.

**Repealed by Ordinance #3105 (1986); Readopted by Ordinance 3587 (1994);**

### **33.0119 Special Prohibitions**

By adoption of industrial activity storm water regulations or by the issuance of industrial activity storm water permits, or both, the authorized representative may impose reasonable limitations as to the quality of storm water (including without limitations the designation of maximum levels of non-storm water contents) discharged directly or indirectly into the storm drain system from sites of industrial activity

**Repealed by Ordinance #3105 (1986); Readopted by Ordinance 3587 (1994);**

### **33.0120 Non-Storm Water Discharges**

The following non-storm water discharges are allowed under a general construction permit so long as they comply with BMP as described in the Storm Water Pollution Prevention Plan (SWPPP) and they do not cause or contribute to violation of any water quality standard or federal, state or local law or regulation.

- (a) Discharges from fire fighting.
- (b) Fire hydrant flushing.
- (c) Potable water sources including dechlorinated water line flushing.
- (d) Uncontaminated groundwater resulting from dewatering activities.
- (e) Foundation or footing drains where the flows are not contaminated with process materials.
- (f) Natural occurring water such as springs, wetlands and riparian habitat.
- (g) Irrigation water discharged during seeding, planting, and maintenance, provided fertilizer and pesticides are applied correctly.
- (h) Pavement wash waters for dust control and general housekeeping practices provided spills or leaks or toxic or hazardous materials have not occurred and where detergents are not used.
- (i) Individual car washing.
- (j) Air conditioning condensation.

**Repealed by Ordinance #3105 (1986); Readopted by Ordinance 3587 (1994);**

### **35.0121 Permits Required**

Any individual or entity wishing to engage in construction activity shall comply with section 35.0113, and provide evidence of compliance prior to obtaining any County issued grading or construction permits.

**Repealed by Ordinance #3105 (1986); Readopted by Ordinance 3587 (1994);**

### **35.0122 Notice of Violation**

Whenever the authorized representative finds that any user has violated or is violating any provision of this chapter, a NPDES Permit or County Permit, the authorized representative may serve upon such person a written notice stating the nature of the violation and stating the penalties for continued non-compliance.

If required in the notice, the user shall submit to the authorized representative, within a prescribed period specified in the notice, which period shall not be less than ten (10) working days unless an emergency situation dictates a shorter period, a plan indicating the cause of the violation, corrective actions which will be taken to prevent recurrence and, if required, a proposed compliance schedule indicating the dates those corrective actions will be completed.

**Repealed by Ordinance #3105 (1986); Readopted by Ordinance 3587 (1994);**

#### **35.0123 Violations Deeded a Public Nuisance**

Any violation of this chapter which results in a threat to public health, safety and welfare is a public nuisance. Such public nuisance may be summarily abated an/or remediated by the authorized representative in any manner permitted by law.

The cost of such abatement or remediation shall be borne by the owner of the property or user causing the violation.

**Repealed by Ordinance #3105 (1986); Readopted by Ordinance 3587 (1994);**

#### **35.0124 Falsifying Information**

Any person who knowingly makes any false statement, representation, record, report, plan, or other document filed with the County or who falsifies, tampers with, or knowingly renders inaccurate monitoring devices or methods required under this chapter, shall have violated this chapter.

**Repealed by Ordinance #3105 (1986); Readopted by Ordinance 3587 (1994);**

#### **35.0125 Administrative Hearing**

Any user may request in writing from the authorized representative within ten (10) days from the issuance of a notice of violation pursuant to section 35.0122 or an administrative order pursuant to section 35.0126, or the authorized representative may order, an administrative hearing, at which a user who causes or allows or who has caused or allowed a violation of this chapter to occur shall show cause why a proposed enforcement action should not be taken. An administrative hearing officer who is a County employee not directly involved in enforcement of this chapter shall preside over the administrative hearing, at which each party, including the user and the authorized representative, shall have the right to present evidence.

A notice shall be served on the user specifying the time and place of the hearing regarding the violation, the reasons why the action is to be taken and proposed enforcement action, directing the user to show cause before the hearing officer why proposed enforcement action should not be taken. The notice of hearing shall be served in the manner provided in section 35.0108, at least ten (10) working days before the hearing. Service may be made on any agent or officer of the user.

**Repealed by Ordinance #3105 (1986); Readopted by Ordinance 3587 (1994);**

#### **35.0126 Administrative Orders**

The authorized representative may require compliance with this chapter or NPDES Permit or County Permit by issuing written administrative orders. Administrative orders may include stop work orders, cease and desist orders, termination of service orders and immediate termination of service orders.

(a) Stop Work Order - the authorized representative may serve a written stop work order on any person engaged in doing or causing to be done new construction, tenant improvements, alterations or additions, if:

- (1) A County Permit is required and no permit has been granted by the County;
- (2) Work has begun without necessary prior written approval by the authorized representative; or,
- (3) Violations of this chapter are found at the site of the new construction, tenant improvements, alterations or additions.

Any person served a stop work order shall stop such work forthwith until written authorization to continue is received from the authorized representative.

(b) Cease and Desist Order - when the authorized representative finds that any industrial/commercial user has violated or threatens to violate any provisions of this chapter or NPDES Permit or County Permit the authorized representative may issue a cease and desist order directing the user to:

- (1) Comply immediately; or
- (2) Comply in accordance with a time schedule specified in the cease and desist order.

A cease and desist order may include modifications in the frequency of monitoring, testing or submission of self-monitoring reports.

(c) Termination of Service - when the authorized representative finds any industrial/commercial user has violated an administrative order, the authorized representative may terminate storm drain service to the user. The user shall be liable for all costs for termination of storm drain service incurred by the user and the County. Storm drain service shall be re-instituted by the authorized representative after the user has complied with all the provisions of the administrative order. The user shall also be liable for all costs for re-instituting storm drain service.

(d) Immediate Termination of Service - the authorized representative may immediately suspend storm drain service and any County Permit when such suspension is necessary, in the opinion of the authorized representative, to stop an actual or threatened discharge which presents or may present an imminent and substantial endangerment to the health or welfare of persons or the environment, or which significantly causes pollution to the receiving waters, ground water and natural water courses of the County. Any industrial/commercial user notified that storm drain service NPDES Permit or County Permit has been suspended shall immediately stop and eliminate the applicable discharges to the storm drain system.

In the event of failure to comply voluntarily with the suspension order, the authorized representative shall take steps as deemed necessary, including immediate severance of storm drain connections. The industrial/commercial user shall be liable for all costs incurred by the County in terminating storm drain service. Storm drain service may be re-instituted by the authorized representative after the actual or threatened discharge has been eliminated. A detailed written statement, submitted by the industrial/commercial user, describing the cause of the harmful discharge and the measures to prevent any future occurrence shall be submitted to the authorized representative within fifteen (15) working days of the date of storm drain service termination.

The authorized representative may adopt a proposed compliance schedule submitted by the user, or may adopt a revised compliance schedule if, in the judgment of the authorized representative, the compliance schedule submitted by the user would allow the user to cause harm to the receiving waters and/or county storm drain system.

The authorized representative will notify the user of the adopted compliance schedule in a timely manner. The authorized representative shall not adopt a compliance schedule which does not comply with the applicable federal guidelines.

**Repealed by Ordinance #3105 (1986); Readopted by Ordinance 3587 (1994);**

### **35.0127 Legal Action**

(a) If any person violates the provisions of this chapter, federal or state NPDES Permit, County Permit requirement or any order of the County, the County may commence an action for appropriate legal, equitable or injunctive relief in the courts of the County.

(b) In addition to the penalties provided in this chapter, the authorized representative may recover all reasonable attorney fees, court costs, court reporters' fees and other expenses of litigation against the person(s) found to have violated any of the provisions of this chapter, NPDES Permit, County Permit or the orders, rules, regulations and permits issued thereunder.

**Repealed by Ordinance #3105 (1986); Readopted by Ordinance 3587 (1994);**

### **35.0128 Civil Penalties**

The industrial/commercial user may be fined a sum not to exceed two thousand five hundred dollars (\$2,500) for each offense.

Each violation shall be considered a separate and distinct offense, and each day on which a violation shall occur or continue shall be deemed a separate and distinct offense. In addition to the penalties provided in this article, the County may recover all reasonable attorney's fees, court costs, court reporters' fee and other expenses of litigation against the person found to have violated this chapter, NPDES Permit, County Permit, or the orders, rules, regulations and permits issued under this chapter.

**Repealed by Ordinance #3105 (1986); Readopted by Ordinance 3587 (1994);**

### **35.0129 Criminal Penalties**

(a) Any person who willfully violates any provision of this chapter or any permit condition; who knowingly violates any stop work order, cease and desist order, termination or immediate termination order, prohibition or effluent limitation; who knowingly makes false statements, representation or certification in any application, record, report, plan or other document filed or required to be maintained pursuant to this chapter or NPDES Permit; or who falsifies, tampers with or knowingly causes inaccuracy in any monitoring device or method required or authorized under this chapter shall be guilty of an infraction or misdemeanor as hereinafter specified.

(b) Each day or portion thereof such violation is in existence shall be a new and separate offense.

(c) any person so convicted shall be:

(1) Guilty of an infraction offense and punished by a fine not exceeding one hundred dollars (\$100) and not less than fifty dollars (\$50) for a first offense;

(2) Guilty of an infraction offense and punished by a fine not exceeding two hundred dollars (\$200) and not less than one hundred dollars (\$100) for a second offense.

(3) Guilty of a misdemeanor for the third and any additional offenses and punished by a fine not exceeding one thousand dollars (\$1,000) and not less than five hundred dollars (\$500) or six (6) months in jail, or both.

(d) Notwithstanding the above, a first or second offense may be charged and prosecuted as a misdemeanor.

(e) Payment of any fine or service of a jail sentence shall not relieve a person, firm, partnership, corporation or other entity from the responsibility of correcting the condition resulting from the violation.

**Repealed by Ordinance #3105 (1986); Readopted by Ordinance 3587 (1994);**

#### **35.0130 Compensation for Damages**

Any person, entity, or user who, by violation of this chapter, causes any damage to the storm drain system, including the imposition of fines or penalties on the County by federal, state or local regulatory agencies, shall be liable to the County for all such damages, costs, fines, and penalties incurred by the County.

**Repealed by Ordinance #3105 (1986); Readopted by Ordinance 3587 (1994);**

#### **35.0131 Appeals**

Any decision of the authorized representative or the administrative hearing officer may be appealed to the Board of Supervisors by giving notice, in the manner provided by section 35.0108, to the authorized representative within ten (10) days of receipt of said decision.

The Board of Supervisors may, at its discretion, appoint a county hearing officer pursuant to chapter 27 of Division 2 of Title 1 of the San Bernardino County Code (commencing with section 12.270) to conduct the hearing.

**Repealed by Ordinance #3105 (1986); Readopted by Ordinance 3587 (1994);**

#### **35.0132 Notice to Remediate**

Whenever the authorized representative finds any nonpermitted or prohibited discharge, in or upon any parcel of land, which may result in illegal discharges to the storm drain system, the authorized representative may give notice to remediate such discharge. Any user who receives such a notice shall undertake the remediation activities as described in the notice.

**Repealed by Ordinance #3105 (1986); Readopted by Ordinance 3587 (1994);**